

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KAREN WATERMAN,

Plaintiff,

v.

Case No. 12-CV-12384

Honorable Denise Page Hood

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ACCEPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION, DENYING PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT, GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT,
AND DISMISSING THIS ACTION**

I. INTRODUCTION

Plaintiff Karen Waterman appeals the Administrative Law Judge's finding that she was not disabled and, therefore, not entitled to disability or disability insurance benefits. On March 20, 2013, Magistrate Judge Mona K. Majzoub recommended that this Court deny Plaintiff's Motion for Summary Judgment, grant Defendant's Motion for Summary Judgment, and dismiss the complaint. For the reasons stated below, the Court accepts the Report and Recommendation's findings of fact and conclusions of law without addition or omission. Therefore, the Commissioner's motion for summary judgment is GRANTED and Plaintiff's motion for summary judgment is DENIED.

II. BACKGROUND

The Magistrate Judge described the factual basis in great detail. The Court, therefore, adopts the Report and Recommendation's findings of fact in their entirety.

III. ANALYSIS

The Court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1). The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* Any objections to the Report and Recommendation must be timely and specific. *See* Fed. R. Civ. P. 72(b)(2); E.D. Mich. L. R. 72.1(d); *United States v. Walters*, 638 F.2d 947, 950 (6th Cir. 1981) (“The filing of objections provides the district court with the opportunity to consider the specific contentions of the parties and to correct any errors immediately.”) “[O]nly those specific objections to the magistrate’s report made to the district court will be preserved for appellate review; making some objections but failing to raise others will not preserve all the objections a party may have.” *Smith v. Detroit Fed’n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Failing to file any objections waives a party’s right to further appeal, *Id.*, and relieves the Court from its duty to review the matter independently. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). There are no objections to the Magistrate Judge’s Report and Recommendation. The Court will note that the Magistrate Judge advised Plaintiff that unraised objections would waive any right to subsequent appeal. In the absence of any timely and specific objections to the Report and Recommendation, the Court deems all objections waived and finds the Magistrate Judge’s recommendation sound and appropriate. The Report and Recommendation’s conclusions of law are accepted.

IV. CONCLUSION

Accordingly,

IT IS ORDERED that Magistrate Judge Mona J. Majzoub's Report and Recommendation [Docket No. 13, filed March 20, 2013] is ACCEPTED. The Court accepts the Report and Recommendation's findings of fact and conclusions of law in their totality.

IT IS FURTHER ORDERED that Plaintiff Karen Waterman's Motion for Summary Judgment [Docket No. 8, filed September 21, 2012] is DENIED.

IT IS FURTHER ORDERED that Commissioner's Motion for Summary Judgment [Docket No. 12, filed December 28, 2012] is GRANTED.

IT IS FURTHER ORDERED that this action is DISMISSED.

IT IS SO ORDERED.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: April 30, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 30, 2013, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager